

The State of Texas

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Ruth R. Hughes
Secretary of State

September 23, 2019

Caroline Haskins

Sent via electronic mail to: 80101-83559040@requests.muckrock.com

Re: Request for records, received: September 9, 2019 (SOS PIR No. 19-0904)

Dear Ms. Haskins:

This letter responds to your request for information under the Public Information Act, Chapter 552 of the Texas Government Code (the "PIA"), which was received by the Office of the Texas Secretary of State (the "Office") via email on September 9, 2019 (the "Request"). In your Request, you indicate that you are seeking certain documents regarding Ring Protect Inc. ("Ring"). Specifically, you request:

[A]ll records relating to Ring's ability to operate in the state. These documents could include:

1) All calendar invitations, instructional materials, presentations and presentation materials (including recorded video and audio, PowerPoint files, prepared remarks, and slides formats), and other documents that mention Ring devices and/or the Neighbors app. This includes A) any minutes/notes taken during meetings that discussed the use of Ring devices and/or the Neighbors app, B) any explanations (whether internally or externally generated) of how Ring devices and/or the Neighbors app work, and C) any other document that has been used to help explain the use, marketing, or promotion of Ring devices and/or the Neighbors app to any party, including internal documentation, public relations materials, and executive summaries.

2) A copy of any privacy impact assessments, use policies, standard operating procedures, data retention policies, legal opinions, warranties, non-disclosure agreements, contracts, liability waivers, insurance agreements, Promotional Discount Agreements, Requests for Proposals, Responses to Requests for Proposal, Memorandums of Understanding, Letters of Interest, usage policies, or informal agreements between the city and Ring.

3) Any digital communications including but not limited to emails and text messages) as well as documents, (including but not limited to PDF, word processing, excel, and slide documents) that mention Ring or the Neighbors app.

4) Any digital communications (including but not limited to emails and text messages) with Ring representatives.

We are processing your Request in accordance with the terms of the PIA. To that end, please find the attached documents relating to Ring's registration to transact business in Texas pursuant to the Texas Business Organizations Code.¹

Some of the enclosed documents are being produced in redacted form. These redactions comprise two categories. First, we have redacted the "Client ID" from the packing slip issued by our Office. In Open Records Letter No. 2012-06701-A (May 24, 2012), the attorney general ruled that the Secretary of State's office could withhold client identification numbers from documents without first requesting an attorney general opinion.

Second, the responsive information contains a credit card number that is collected, assembled, or maintained by or for a governmental body. This information is confidential under Section 552.136 of the Texas Government Code and thus has been redacted from the enclosed materials. You have the right to appeal our decision to withhold information from you under Section 552.136. We have attached instructions for appealing our withholding under Section 552.136.

CLARIFICATION REQUEST/NOTICE OF APPLICATION OF SEC. 552.222

In order to provide additional documents in response to your Request, we need clarification regarding your inquiry. Clarifying or narrowing the scope of your request may help avoid the production of, and potential charges for, responsive information that you are not interested in receiving. It also may allow us to produce responsive documents to you more quickly. Additionally, we may be able to avoid having to withhold certain information under the Public Information Act and seek a ruling from the Office of the Attorney General regarding the release of such records.

To that end, please clarify or narrow your Request by responding to the following questions:

1. We need clarification of the scope and date range of the third item of your Request, which seeks "[a]ny digital communications . . . as well as documents . . . that mention Ring or the Neighbors app."
 - a. Does your request encompass *any and all* communications/documents that mention "Ring" or "the Neighbors app" in *any* context, or are you referring only to a subset of communications/documents? If the latter, please provide additional detail regarding the requested information—including search terms for us to utilize—so that we can accurately identify and collect any responsive items.
 - b. Are you seeking (1) documents/communications that Secretary of State employees sent to or received from *external* sources (*i.e.*, individuals and entities outside the Secretary of State's office); (2) *internal* documents/communications exchanged solely among Secretary of State employees; or (3) both?
 - c. Is there a specific date range for the third item of your Request?
2. In addition, we need clarification regarding the fourth item of your Request, which seeks "[a]ny digital communications . . . with Ring representatives."
 - a. Does your request encompass *any and all* communications between anyone employed by, or otherwise acting on behalf of, Ring and any employee of the Secretary of State's office in *any* context, or are you referring only to a subset of communications involving certain Ring representatives or

¹ We have no documents responsive to the first and second items of your Request.

Secretary of State employees (e.g., communications relating to business-registration documents that Ring filed with our Office)? If the latter, please provide additional detail regarding the requested information—including search terms for us to utilize—so that we can accurately identify and collect any responsive items.

- b. Is there a specific date range for the fourth item of your Request?

Depending on your clarification, we may have to provide you a statement of estimated costs pursuant to Section 552.2615 of the PIA. In addition, some responsive information may be exempted from public disclosure under the PIA. But we cannot make these determinations until we receive a clarified request from you.

Under Section 552.222 of the PIA, if you do not respond in writing to this request for clarification within sixty-one days of this communication, your request for information is deemed by Texas law to be withdrawn. The Secretary of State is a strong supporter of open government, and this Office is ready and willing to respond to any and all public information requests. However, we must require that requests provide sufficient detail regarding the information or records being sought so that we may fulfill our duties under the PIA.

If you have any questions or need additional information, or if you would like to submit a clarified request, please contact our office at (512) 463-5770 or at the e-mail address listed below.

Sincerely,

A handwritten signature in blue ink, appearing to read 'AB', with a stylized flourish extending from the end.

Adam Bitter
General Counsel
Office of the Texas Secretary of State
generalcounsel@sos.texas.gov
AB/jw

Enclosures

How to appeal the withholding of information under Government Code Section 552.136

If you wish to appeal the withholding of information discussed on the previous page, you must send the following to the attorney general:

- 1) a signed, written statement indicating your wish to appeal the withholding of information;
- 2) the name of the governmental body that withheld information from you;
- 3) the date you made your original request for information; and
- 4) a copy of your original request for information, or if you are unable to provide a copy, a description of your original request for information.

You may also submit written comments stating why you think the information should be released to you, but you are not required to do so.

Send your appeal by mail to the attorney general at:

Open Records Division
P.O. Box 12548
Austin, Texas 78711-2548

Within forty-five business days after receiving all of the above-listed items necessary to file your appeal, the attorney general will issue a written ruling on the matter. You will receive a copy of this ruling in the mail.